

**UNITED STATES
COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that: My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **Cellular Coal Products and Processes**, the application of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose to the Office all information known to me which is material to the examination of this application as defined in §1.56. I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate having a filing date before that of the application(s) of which priority is claimed.

Prior Foreign Application(s)

			Prior Claim	
(Number)	(Country)	(Day/Month/Year Filed)	[]	[]
			Yes	No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application listed below and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112. I acknowledge the duty to disclose to the Office all information known to me which is material to the examination of this application as defined in §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(Application Serial No) (Filing Date) (Status: patented, pending, abandoned)

(Application Serial No) (Filing Date) (Status: patented, pending, abandoned)

As a named inventor, I hereby appoint Auzville Jackson, Jr., Reg. No. 17,306, as my attorney to prosecute this application, and transact all business in the Patent and Trademark Office connected therewith and to act on my behalf before the competent International Authorities in connection with any and all international applications filed by me and of which I am the sole applicant and to receive payments on my behalf.

Send correspondence to: Auzville Jackson, Jr.

8652 Rio Grande Rd.
Richmond, VA 23229
(804)740-6828 / FAX (804) 740-1881

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Darren Kenneth Rogers**

First Inventor's signature: 

Date: 1 DECEMBER 1999

Address of First Inventor: **4 America Avenue**
Wheeling, WV 26003

Citizenship of First Inventor: **United States of America**

Residence of First Inventor: **4 America Avenue**
Wheeling, WV 26003

ATTORNEY DOCKET NO. 1368(Touchstone)

PATENT

Applicant or Patentee: **Darren Kenneth Rogers**

Serial or Patent No.:

Filed or Issued:

For: **Cellular Coal Products and Processes**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(c))--SMALL BUSINESS CONCERN**

I hereby declare that I am

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: **Touchstone Research Laboratory, Ltd.**

ADDRESS OF CONCERN: **RD #1, Box 100B, The Millenium Centre
Triadelphia, West Virginia 26059**

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed, to and remain with the small business concern identified above with regard to the invention, entitled **Cellular Coal Products and Processes** by inventor(s) **Darren Kenneth Rogers** described in the specification filed herewith.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME: **None**

ADDRESS:

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Brian E. Joseph

TITLE OF PERSON OTHER THAN OWNER: President

ADDRESS OF PERSON SIGNING: RD #1, Box 100B, The Millennium Centre
Triadelphia, West Virginia 26059

SIGNATURE: Brian E. Joseph

DATE: Nov 24, 1999